

A G E N D A
BOARD OF SHELBY COUNTY COMMISSIONERS
CHARTER FORM OF GOVERNMENT
FEBRUARY 23, 2004

1:30 P.M.	COMMISSION CONVENES
CALL TO ORDER	Deputy Sheriff Larry Powell
INVOCATION	Reverend Vaughn Denton, Magnolia Baptist Church
PLEDGE OF ALLEGIANCE	
ROLL CALL	
RENDTORFF ADOPTED	<u>Approval of Minutes of Previous Sessions</u> January 26, 2004

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

Ordinances

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| HOOKS
(DEFERRED
03/08/04) | <div>1. <u>ORDINANCE – SECOND READING – (ZTA 03-002 CC)</u>
A Joint Ordinance amending the Memphis and Shelby County Zoning Ordinance, adopted by the Shelby County Board of Commissioners on October 7, 1980, and the Council of the City of Memphis on October 7, 1980; being Joint Ordinance No. 3064, as amended, so as to make certain changes therein as follows:<div><div>1) Amend Section 29 – Signs,
 Subsection III – Definitions;
 Subsection IV – Classification of signs;
 Subsection V – Signs Prohibited;
 Subsection VI – General Standards;
 Subsection VII – Permanent On-Premise Sign Regulations;
 Subsection XII – Violations; and
 Creating a new Subsection XIII –
 Enforcement and Penalties.</div><div>2) Amend Section 30 – Non-conformities,
 Subsection E – Non-conforming On-Premise and
 Off-Premise Signs -
 Providing for severability;
 Providing for repeal of conflicting ordinance
 Requirements;
 And providing an effective date.</div></div></div> |
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Zoning and Subdivisions

HOOKS ADOPTED (A-B)	2. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc., as recommended by the County Engineer.
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Reports and/or Resolutions of Standing Committees

KIRK ADOPTED	3. Resolution rescinding the sale of fifteen delinquent tax parcels from Tax Sale(s) 54, 89.7, 94.3, 95.2, 96.2, 97.1, 97.2, and 97.4 pursuant to the provisions of the TCA 67-5-2507.
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KIRK ADOPTED	4. Resolution to approve a contract between Shelby County Government and ISDN-Net, Inc., for upgrades to existing internet services, and continuation of internet services for two (2) years, in an amount not to exceed \$41,210.00, and to appropriate \$7,410.00 for payments for the remaining months of the current fiscal year.
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KIRK ADOPTED	5. Resolution appropriating \$5,000,000.00 from FY 2004 CIP Project No. 101401, Regional Medical Center, to assist in the capital funding of the Regional Medical Center.
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LILLARD ADOPTED	6. Resolution authorizing Amendment Number 6 to Contract Number CA992506 with Parsons Transportation Group for the engineering design and preparation of construction plans for realignment of Holmes Road to cross the BNSF Railroad tracks via an overpass, appropriating \$16,583.00 from the FY 2003/2004 CIP Budget for Project No. 100142, Holmes Road, and amending the FY 2003/2004 Budget.
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AVERY ADOPTED	7. Resolution approving an expenditure to Shelby County Health Care Corporation (The Med) and appropriating CIP funds from FY 2003/2004 Project No. 101310, Patient Information Management System, for the Health Loop Primary Care Clinics' Patient Information Management System in the amount of \$250,000.00.
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AVERY ADOPTED	8. Resolution to approve a grant from the Tennessee Health Care Campaign to the Memphis and Shelby County Health Department in the amount of \$58,700.00 for the purpose of coordinating efforts to reach and enroll uninsured eligible children in TennCare for the period July 1, 2003 – June 30, 2004, and amending the FY 2002-2007 Operating Budget and to approve the carry forward of unexpended funds in the amount of \$25,634.00 from prior years to FY 2003/2004.
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AVERY ADOPTED	9. Resolution to approve a contract between the University of Tennessee and Shelby County Government for County Medical Examiner and Forensic Services in the amount of \$1,681,177.00 for the period July 1, 2003 – June 30, 2004.
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**AVERY
ADOPTED**

10. Resolution to approve acceptance of a grant from the Office of the Surgeon General to the Memphis and Shelby County Health Department in the amount of \$50,000.00 for the purpose of developing a Medical Reserve Corps which will be incorporated into the Community Disaster Planning Process and Major Public Health Initiative Planning for the period September 30, 2003 – September 29, 2004, and establishing one (1) new FY 2003/2004 Operating Budget.

**THOMPSON
ADOPTED**

11. Resolution approving a contract with ESI Companies, Inc., and appropriating funds in the amount of \$341,000.00 from the CIP Budget No. 101502, for renovation of jail security control centers, phase 1.

**THOMPSON
ADOPTED**

12. Resolution approving the transfer of title of eight parcels of Homestead Program property pursuant to Tennessee Code Annotated 7-66-101 to 7-66-111 and Resolution #24 adopted by the Shelby County Board of Commissioners October 7, 1985, authorizing the implementation of the Shelby County Homestead Program.

**THOMPSON
ADOPTED**

13. Resolution appropriating funds in support of the Middle Income Housing Program as a part of the Balanced Growth Strategy in cooperation with the City of Memphis.

**RENDTORFF
ADOPTED**

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

**HOOKS
ADOPTED**

14. Resolution appointing Commissioner David Lillard and Commissioner Deidre Malone to the Needs Assessment Committee.

**THOMPSON
ADOPTED**

15. Resolution appointing Jay Weatherington on behalf of the Mayor and the Chairman to the Needs Assessment Committee.

**HOOKS
ADOPTED**

16. Resolution approving Commissioner Linda Rendtorff to serve as the Commission representative on the sponsoring government's board for the Aging Commission of the Midsouth.

Ordinances

HOOKS
(DEFERRED
TO 03/08/04)

17. **ORDINANCE – THIRD READING** – An Amendment to the Joint Ordinance by the City Council of the City of Memphis and Resolution by the Board of the County Commissioners Shelby County, creating the Memphis and Shelby County Office of **Construction Code Enforcement** and prescribing its power and duties; providing for the creation of a Joint Board of Appeals and the election of its chairman and vice chairman; providing for an Administrator and two Deputy Administrators for the office; providing for the distribution of funds accruing to said office and for the sharing the expense of operation of said board and office by said governmental bodies; creating Code Advisory Boards and Licensing Boards; adopting the current Shelby County Construction Codes as the Memphis and Shelby County Construction Codes; and authorizing the mayors of the City of Memphis and the County of Shelby to execute said agreements.

HOOKS
(DEFERRED
TO 03/08/04)

18. **ORDINANCE – THIRD READING - (ZTA 03-005 CC)**
A Joint Ordinance amending the Memphis and Shelby County **Zoning Ordinance – Regulations** adopted by the Shelby County Board of Commissioners on October 6, 1980, and the City Council of the City of Memphis on October 7, 1980, being Resolution and Zoning Ordinance No. 3064, as amended, so as to make certain changes therein as follows:
Amend Zoning Ordinance to amend Neighborhood Commercial (C-N) Zoning District and amend Chart 1 (Uses Permitted) to allow residential uses in the C-N District and Chart 2 (Bulk Regulations).

RENDTORFF
ADOPTED

19. **ORDINANCE – THIRD READING** – An Ordinance to amend Section 12-28 of the Shelby County Code of Ordinances, Article II, Civil Service Merit System, to designate all Shelby County Head Start employees as Unclassified service employees.

Zoning and Subdivisions

HOOKS
(DEFERRED
TO 03/08/04)

20. **CASE NO. P.D. 03-365 CC**
APPLICANT: Michael H. Patrick

LOCATION: West side of Pisgah Road; +2,150 feet south of Latting Road

REQUEST: A maximum of 101 Single Family Residential lots

Memphis and Shelby County Office of Planning and Development recommendation:
REJECTION

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL WITH CONDITIONS

(Notice of public hearing published in the Daily News on Friday, December 12, 2003.)

**HOOKS
ADOPTED**

21. CASE NO. Z 03-132 CC
APPLICANT: Durelle Sharpe
- LOCATION: West side of Billy Maher Road; +300 feet south of Egypt Central Road
- REQUEST: Single Family Residential (R-S8)
- Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL
- Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL
- (Notice of public hearing published in the Daily News on Friday, January 30, 2004.)

**HOOKS
(DEFERRED
TO 03/08/04)**

22. CASE NO. P.D. 03-355 CC
APPLICANT: Nellie B. Hamilton/Rusco Company
- LOCATION: North side of Holmes Road; +4,000 square feet east of Hacks Cross Road
- REQUEST: A planned development to permit 106 single family detached lots with a typical lot size a lot 8,750 square feet within the plan.
- Memphis and Shelby County Office of Planning and Development recommendation:
REJECTION
- Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL WITH CONDITIONS
- (Notice of public hearing published in the Daily News on Friday, December 12, 2003)

**HOOKS
ADOPTED**

23. CASE NO. Z 03-124 CC
APPLICANT: Toni Cox and Albert Nicholson

LOCATION: West side of Brunswick Road at Davies
Plantation Road

REQUEST: Taking property out of the Agricultural
(AG) Use District and including in the
Residential Estate (R-E) Use District

Memphis and Shelby County Office of Planning and
Development recommendation:
APPROVAL

Memphis and Shelby County Land Use Control Board
recommendation:
APPROVAL

(Notice of public hearing published in the Daily News on
Friday, December 12, 2003.)

**HOOKS
(DEFERRED
TO 03/22/04)**

24. CASE NO. S.U.P. 03-218 CC
APPLICANT: JACS, LLC

LOCATION: North side of Fite Road; +/- 2,356 feet west
of Tay-for Drive

REQUEST: Landfill for Agricultural and
Construction/Demolition Waste
(Class III/IV)

Memphis and Shelby County Office of Planning and
Development recommendation:

APPROVAL WITH CONDITIONS
Memphis and Shelby County Land Use Control Board
recommendation:
APPROVAL WITH CONDITIONS

(Notice of public hearing scheduled for publication in the
Daily News on Friday, March 12, 2004.)

Reports and/or Resolutions for Standing Committees

**KIRK
(DEFERRED
TO 03/08/04)**

25. Resolution approving settlement agreement in case of *Clark Construction Group, Inc., Plaintiff, VS. City of Memphis and the Memphis Cook Convention Center, Defendants*, Civil Action No. 01-2780 U.S. District Court.

**BOLTON
ADOPTED**

26. Resolution stating the opposition of the Shelby County Board of Commissioners to state legislation introduced regarding jail telecommunications charges.

**BOLTON
ADOPTED**

27. Resolution stating the opposition of the Shelby County Board of Commissioners to state legislation introduced creating an elected office of Director of Schools.

**BOLTON
ADOPTED**

- 27A. Resolution stating the opposition of the Shelby County Board of Commissioners to state legislation introduced regarding state share revenues**

Announcements/Statements

- 28. Notification from county mayor of various appointments/reappointments to Boards, Commissions, and offices of Shelby County Government.**
- a. Resolution approving the county mayor's nomination of Gene Holcomb and Matthew Davis for appointment to the Shelby County Healthcare Corporation Board for a term of three (3) years. (Comm #3)**
 - b. Resolution approving the county mayor's nomination of Scott Fleming, Nick Clark, Nisha Powers, Thomas Glass, and Aubrey Howard for appointment to the Shelby County Needs Assessment Committee for a term of three (3) years. (Comm #6)**

Adjournment

**THOMPSON
ADOPTED**

- 29. Resolution of Adjournment to March 8, 2004, at 1:30 p.m.**

AGENDA #2
FEBRUARY 23, 2004

2A

SUBDIVISION: BARRY FARMS P.D., AMENDED, PHASE 8 (P.D. 00-352 CC)

DEVELOPER: CHAMBERLAIN, MCCREERY & RICE, L.L.C.

ACTION: RESOLUTION TO APPROVE THE PLAT FOR BARRY FARMS P.D., AMENDED, PHASE 8 (P.D. 00-352 CC) AND AUTHORIZE THE RECORDING OF THE PLAT

LOCATION: WEST SIDE OF HACKS CROSS ROAD; +716 FEET SOUTH OF LOWRANCE ROAD

2B

SUBDIVISION: BRUNSWICK FARMS SUBDIVISION, PHASE 2 (S 96-045 CO)

DEVELOPER: WATCO

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO BRUNSWICK FARMS SUBDIVISION, PHASE 2 (S 96-045 CO) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: NORTH SIDE OF U.S. HIGHWAY 70; +/-845.40 FEET EAST OF THE INTERSECTION OF BRUNSWICK ROAD

[For questions regarding the Agenda, please call
Grace Hutchinson, Chief Administrator, at 545-4301.]